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07 Exhibit YET3 – s13 rent increase 25-01-2023.pdf

08 Exhibit YET4 – s13 cover letter 18-06-2024.pdf

IN THE COUNTY COURT AT BRIGHTON Claim no: M01BN055

MR YUNUS EMRE TARIQ (Claimant) v DRIVEMANOR LTD (Defendant)

Bundle for N244 application dated 16/10/2025 (filed 16/10/2025) Bundle for N244 application dated 16/10/2025 (filed 16/10/2025)

A1 N244 (signed) ..... (5 pages)

A2 Appendix A – Orders and Reasons ..... (1 page)

A3 Draft Order ..... (1 page)

B1 Supplemental Witness Statement (Y.E. Tariq) ..... (1 page)

C1 Exhibit YET1 – Letter Philip → N. Monti (01/10/2018) ..... (2 pages)

C2 Exhibit YET2 – Drivemanor/N. Monti → Philip (repairs) ..... (1 page)

C3 Exhibit YET3 – Section 13 rent-increase form (25/01/2023) ... (1 page)

C4 Exhibit YET4 – Section 13 cover letter (18/06/2024) ..... (1 page)

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

Name of court	**Claim no.**
Brighton County Court	M01BN055
Fee account no. (if applicable)	**Help with Fees – Ref. no.** (if applicable)
	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.)	
Yunus Emre Tariq (Formerly Krasimir Krastev Ivanov)	
Defendant's name (including ref.)	
Drivemanor Ltd (c/o Dean Wilson LLP, ref CLW/AZH/29498/011)	
Date	16/10/0225

1. What is your name or, if you are a legal representative, the name of your firm?

   Yunus Emre Tariq

2. Are you a ☑ Claimant ☐ Defendant ☐ Legal Representative

   ☐ Other (please specify)

   If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

   Please See Appendix A – Orders and Reasons (attached)

4. Have you attached a draft of the order you are applying for? ☑ Yes ☐ No

5. How do you want to have this application dealt with? ☐ at a hearing ☐ without a hearing ☑ at a remote hearing

6. How long do you think the hearing will last? Hours 30 Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☑ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

   A district Judge

9. Who should be served with this application?

   Dean Wilson LLP (for Mr Nicholas Monti)
   Drivemanor Limited (registered office)

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   Dean Wilson LLP, Ridgeland House, 165 Dyke Road, Hove BN3 1TL.
   Drivemanor Limited, 4th Floor, Park Gate, 161–163 Preston Road, Brighton BN1 6AF.

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Appendix A – Orders and Reasons (for N244 Box 3)

N244 — Question 3: Orders sought (continuation sheet)

IN THE COUNTY COURT AT BRIGHTON — Claim No: M01BN055

Tariq (claimant) v Drivemanor Ltd (Dfendant)

Applicant: Mr Yunus Emre Tariq

Field: 16/10/2025

Orders sought (summary)

1. **Declaration (or short determination)** that I succeeded under **s.17 Housing Act 1988** (cohabiting partner in occupation; tenancy **periodic**).
2. **Substitute Drivemanor Ltd** for Mr Monti (CPR 19) and deem service on **Dean Wilson LLP** to be good service.
3. **Specific disclosure** of the rent ledger, deposit certificate/prescribed information and basic tenancy records; **unless** order if not complied with.
4. **Reasonable-adjustment directions** (autism/dyslexia): written-only comms, plain-English action points, searchable PDFs, extra time, breaks, supporter, remote option.
5. **Interim rent handling:** provide bank details; accept rent; refusal not to count as arrears.
6. **Costs in the case**.

Reasons (short)
(a) The written AST is said to be "lost". The court can find tenancy status from **secondary evidence**.
(b) Two **Section 13 Housing Act 1988** rent-increase documents (Jan 2023; June 2024) prove the tenancy was **periodic**(s.13 applies only to periodic assured/ASTs).
(c) Landlord correspondence addressed to **Mr Philip Shepherd** identifies him as the tenant.
(d) I was his **cohabiting partner** in **occupation** on 18/12/2024; succession under **s.17** occurred automatically.
(e) Adjustments are necessary for effective participation; refusal to accept rent should not create artificial "arrears".

Signed _____ Mr Yunus Emre Tariq

Dated: 16/10/2025

10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [x] the statement of case
- [x] the evidence set out in the box below

If necessary, please continue on a separate sheet.

SUPPLEMENTAL WITNESS STATEMENT OF YUNUS EMRE TARIQ

1. I lived with **Philip George Shepherd** at **LGF, 10 Paston Place, Brighton BN2 1HA** as his long-term **cohabiting partner** for over **17 years**; it was our **only/principal home**. Mr Shepherd died on **18 December 2024**.
2. The Claimant's solicitors say the written tenancy agreement is "lost". I exhibit **secondary evidence** proving that Mr Shepherd was the tenant and that, at the date of death, the tenancy was **periodic**:
    - **YET1** – Letter from **Philip Shepherd** to **Mr N. Monti**, **1 October 2018**, stating he "became a **tenant in 1991**" and inviting inspection for rot/repairs.
    - **YET2** – Letter from **Nicholas Monti/Drivemanor Ltd** to **Mr Shepherd** addressing him as the **sitting tenant** and dealing with works/management.
    - **YET3** – **Section 13** rent-increase form dated **25 January 2023** (from **£585** to **£632** from **1 April 2023**).
    - **YET4** – **Section 13** covering letter dated **18 June 2024** (rent **£600** from **1 August 2024**).

      Section 13 may be used **only** for **periodic** assured/assured shorthold tenancies. These notices were within 18 months before Mr Shepherd's death.
3. I occupied the property as my **only/principal home** on **18 December 2024** and was Mr Shepherd's **cohabitee**. I therefore **succeeded automatically** under **section 17 Housing Act 1988**.
4. I ask the Court to **recognise** my statutory succession and (if an application is listed) to order **specific disclosure** of the rent ledger and deposit documentation and to make **reasonable-adjustment directions** (written communications, plain-English action points, searchable PDFs, extra time, breaks, supporter attendance, and remote option if required).

Statement of Truth
I believe that the facts stated in this statement are true.

Signed: _____ Dated: 16/10/2025
Name: Yunus Emre Tariq

Draft Order

IN THE COUNTY COURT AT BRIGHTON
Claim no.: M01BN055
MR YUNUS EMRE TARIQ (Claimant)
v
DRIVEMANOR LTD *(substituted for Mr Nicholas Monti)* **(Defendant)**

DRAFT ORDER

Upon the Claimant's application dated **16/10/2025** and the Claimant's Supplemental Witness Statement with Exhibits **YET1–YET4**, IT IS ORDERED that:

1. **Statutory succession.** The Court **declares** that the Claimant succeeded to the tenancy of **LGF, 10 Paston Place, Brighton BN2 1HA** by operation of **section 17 Housing Act 1988** on **18 December 2024**.
   Alternatively: if the Court is not minded to determine on paper, the issue of statutory succession is **listed for a 30-minute determination** at the next available date. The Claimant's Supplemental WS and Exhibits **YET1–YET4**are **admitted**.
2. **Party substitution (CPR 19). Drivemanor Ltd** is **substituted** as Defendant in place of **Mr Nicholas Monti**. The Claimant has permission to amend the claim title and shall serve the **amended claim** on **Dean Wilson LLP** (for Drivemanor Ltd). **Service on Dean Wilson LLP is good service**.
3. **Specific disclosure (CPR 31.12).** By **4pm on the date 14 days after service of this order**, the Defendant shall **file and serve**:
   a) any **tenancy agreement(s)** (or a **witness statement** explaining searches undertaken if unavailable); and
   b) the **rent ledger**, the **tenancy deposit certificate & prescribed information**, any **s.21/s.8** notices, any **s.13**notices, inventories, **gas-safety** record, and any renewal/"How to Rent" letters; together with a short statement confirming the **tenancy start date**, any **fixed term**, and the date it became **periodic**.

   Unless order: Unless the Defendant complies with paragraph 3 by the deadline, the Defendant is **debarred** from (i) relying on any tenancy document not disclosed, and (ii) **disputing that the tenancy was periodic** at the date of death.

4. **Interim rent handling.** Pending determination, the Defendant shall **provide bank details** for rent payments within **7 days** and shall **accept rent**. Any previous refusal to accept rent shall **not** be treated as arrears.
5. **Reasonable adjustments.** All communications to/from the Claimant shall be **in writing (email)** with **plain-English action points**; documents shall be **searchable PDFs**; the Claimant shall have **additional time** for responses and **frequent breaks** at hearings; the Claimant may have a **supporter** present; the next hearing may be **remote or hybrid** if required.
6. **Costs: Costs in the case.**

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☑ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

I am autistic and dyslexic. Live questioning causes cognitive overload. I request written-only communication, plain-English action points, searchable PDFs, extra time for responses, frequent breaks, and a remote/hybrid hearing if required.

☐ No

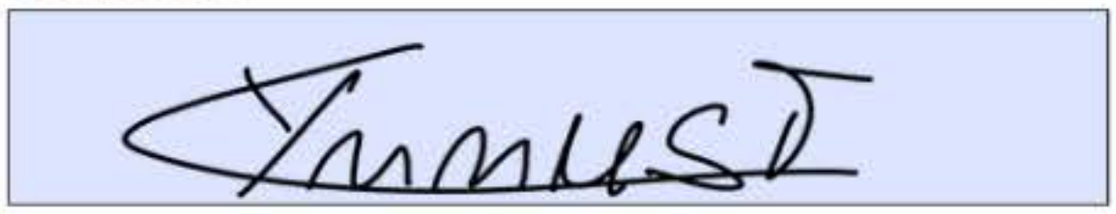
Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☑ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.

☑ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



☑ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☐ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
1 6	1 0	2 0 2 5

Full name

Yunus Emre Tariq

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

Applicant's address to which documents should be sent.

Building and street

Basement Flat

Second line of address

10 Paston Place

Town or city

Brighton

County (optional)

East Sussex

Postcode

B N 2 1 H A

If applicable

Phone number

07825020495

Fax phone number

DX number

Your Ref.

Email

yunus.tariqe@hotmail.com

FILE

Exhibit
YET1

Basement Flat
10 Paston Place
Brighton
East Sussex
BN2 1HA

Mr N Monti
140 Longhill Road
Ovingdean
Brighton
BN2 7BD

1st October 2018

Dear Nick.

I hope that you and the family are all in good health.

I would like to thank you for the recent installation of some new steps at the front of the basement. Royal Mail have now re-commenced delivery of all post through my letter box having deemed the old steps as hazardous for their staff under the Health & Safety Act and had ceased delivery.

You may recall our telephone conversation sometime in November 2016. It was at the time the new replacement windows were being installed to the front of the ground and first floors of numbers 9 and 10 Paston Place. I had phoned to ask if some fine mesh netting could be put in place as rubble was coming down the staircase preventing me from leaving my flat. I asked at that time when my bay window was to be installed and you replied, "It's not; I don't have to replace with same as it is below pavement level." I understood that statement but did inform you at that time that my bay window was rotting in several places. You replied, "Well there you go, we are going to replace the steps and will probably replace your window."

In May 2017, the front exterior re-decoration programme started on numbers 9 and 10 Paston Place. Some small pieces of rotted timber were replaced on my bay window. Your representative (who I only know as Mike) was told by me what had been said in the November 2016 telephone conversation with you. He replied that he did not know anything about that conversation but that he would check with you regarding the window being replaced. The following day he told me that he had been instructed to make the window look "pretty" and proceeded to fill over any remaining rot.

This last re-decoration programme was the third since I became a tenant in 1991, some 27 years ago. On each successive front exterior re-decoration, my bay window has had some small pieces of rotten timber removed and replaced with new timber being scarfed in. Any rotten timber that would have necessitated the glazing to be removed, in order to completely remove all rotten timber and replace with new, was left and simply filled over with exterior filler and painted.

This continuous filling, over 27 years, has now resulted in the filled over rot continuing to rot to the extent that it has now gone down and under the glazing and has appeared on the top surface of the inside framework next to the glazing. The resulting smell from this rot has necessitated me, at my expense, to fit secondary glazing to reduce the smell to a minimum, as this room is a bedroom.

The reason I am writing to you about this now is that I have noticed, very recently, the tell-tale silver strands of either damp rot or dry rot starting to form on the interior framework and they are stretching across to the exterior glazing. Because of this, I cordially invite you to come and inspect the window. I feel this is the correct thing to do in order for you to be able to treat, repair or renew before things get too advanced.

Perhaps you would be kind enough to telephone me, to arrange a mutually agreeable time and date for your visit.

I look forward to hearing from you at your convenience.

Kind regards.

Yours sincerely

Phil Shepherd

Basement Flat
10 Paston Place
Brighton
BN2 1HA

Dear Mr Shepherd

I have tried on a few occasions ringing you, as is our usual means of contact but you are either busy or not willing to pick up.

My operative has informed me that your intention is to be obstructive and difficult in my proceeding with the project which has been going on for some time now.

I would like to point out that never at any point have I informed you that I am not installing a new double glazed bay to the front of this unit. As you can understand, over the past year and a half, things, not just financial, but also practical, have been hampered by the pandemic. The cost of this bay front is over £4000 by far one of the most expensive parts of this project at this time.

I feel, as a sitting tenant, you and I have had a good working relationship and I have tried to work around you as much as possible. I have not taken umbridge to the fact that you objected to my planning consent and eluded to the fact in your objection that you were possibly the owner of this unit. I have also not put in a new water main, gas main or soil pipe through this unit at ceiling level which would have been most disruptive to your peaceful enjoyment of this flat. Bear in mind, my company is moving with the times and all we have managed to do is modernise what was a tired building, in keeping with the day.

As you know, we have reconfigured the building back to its original layout, I don't think you have gained by this as you would only have had 1 bathroom and 3 bedrooms above you with the previous scheme.

I should still like to remove the existing gas meters and any other services from the basement and I would ask you to kindly remove any security you have in place for the coal scuttle as there are meters installed there that need to be read.

I do hope you will be more cooperative in future, please do not hesitate to contact me regarding when we will be able to instal the windows for this flat but as you can understand, finances do play a pivotal part in this part of the procedure.

To contact me either email n.monti@btinternet.com or call my mobile on 07831 195116.

Yours faithfully,

Nicholas Monti

Drivemanor Ltd
www.whisperdevelopments.co.uk
Monterey, Ovingdean Road, Ovingdean, East Sussex BN2 7BB
Telephone 01273 308316 *Email* nick@whisperdevelopments.co.uk
Directors R V Monti • R A Monti *Registration No* 01075637

FORM PRESCRIBED FOR THE PURPOSES OF SECTION 13(2) OF THE HOUSING ACT 1988

Housing Act 1988 Section 13(2), as amended by the Regulatory Reform (Assured Periodic Tenancies) (Rent Increases) Order 2003

The notes over the page give guidance to both landlords and tenants about this notice.

To: Mr Philip Shepherd

Of: LGF, 10 Paston Place, Brighton, BN2 1HA

From: Drive Manor Limited

Brand Vaughan
117 – 118 Western Road
Hove
East Sussex BN3 1DB
01273 204037

1. **This notice affects the amount of rent you pay.** Please read it carefully.

2. The landlord is proposing a new rent of **£632.00 per calendar month** in place of the existing one of £585.00 per calendar month.

3. The first rent increase date after 11th February 2003 is 1st April 2023

4. The starting date for the new rent will be 1st April 2023

5. Certain charges may be included and separately identified in your rent. The amounts of the charges (if any) are: .....

Charges	Amount included and separately identified *(enter "nil" if appropriate)*	
	In the existing rent	In the proposed new rent
Council tax	£0	£0
Water charges	£0	£0
Fixed service charges	£0	£0

6. If you accept the proposed new rent, you should make arrangements to pay it. If you do not accept it, there are steps you should take before the starting date in paragraph 4 above. **Please see the notes over the page for what to do next.**

Signed: .....Chloe Stringer..... [Landlord's Agent] (see note 12 over the page)

Date:
25th January 2023

Mr Philip Shepherd
LGF
10 Paston Place
Brighton
BN2 1HA

Ref: CVA194197

18th June 2024

Dear Mr Shepherd,

Re: LGF, 10 Paston Place, Brighton, BN2 1HA

I enclose a Section 13 notice which is advising you that the landlord is increasing the rent to £600.00 per month from the 1 August 2024. Please read the notes attached, as these will tell you all you need to know and why you have been served this notice.

PLEASE NOTE THAT YOU WILL NEED TO AMEND YOUR EXISTING STANDING ORDER / AUTOMATIC TRANSFER OF THE RENT EACH MONTH. AS UNLIKE A DIRECT DEBIT, WE ARE NOT ABLE TO CHANGE THIS ON YOUR BEHALF.

Please email me at isabella.whitham@michaeljones.co.uk to confirm that you have received this section 13.

Yours sincerely

Isabella Whitham
Tenancy renewals & administration coordinator
Direct Line: 01903 215 631 ext - 1292
Email: isabella.whitham@michaeljones.co.uk

LETST-1020

Enc. Section 13 Notice